



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

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23 NOV 1988

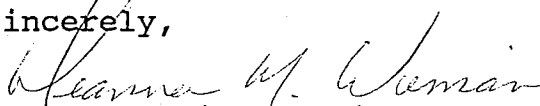
Dear Mr. Taylor:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) titled **PROPOSED LAND CONVEYANCE FOR CONSTRUCTION OF THREE FACILITIES, MARCH AIR FORCE BASE, Riverside County, California.**

Under the National Environmental Policy Act and Section 309 of the Clean Air Act, the EPA is required to review and comment on this DEIS. We have classified this DEIS as *Category EC-2, Environmental Concerns - Insufficient Information*, (please see Enclosure 2, "Summary of Rating Definitions and Follow-up Actions"). Our comments primarily focus on the need for the proposed project to fully comply with the legislative and regulatory requirements of the Comprehensive Environmental Response, Compensation and Liability Act, as amended by the Superfund Amendments and Reauthorization Act (CERCLA). We also provide air quality comments and general comments. Our comments are outlined in Enclosure 1.

We appreciate the opportunity to comment on this DEIS. Please send us three copies of the Final Environmental Impact Statement (FEIS) at the same time it is officially filed with the EPA's Washington, D.C. office. If you have any questions, please call me at 415-974-8083 (FTS 454-8083) or have your staff contact Mr. David R. Tomsovic at 415-974-8177 (FTS 454-8177).

Sincerely,

  
Deanna M. Wieman, Director  
Office of External Affairs

Enclosures: 6 pages total (5 pgs. comments; 1 pg. rating sheet)

cc: Lt. Don Bachand, 22 CSG/DEEV, March AFB  
Major Claudia Lauten, 22 AREFW/JA, March AFB  
Nestor Acedera, California Dept. of Health Services, Long Beach  
Brian Farris, SCAQMD, El Monte  
Sandy Williams, OFA, EPA HQ, Washington, D.C.

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**COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR  
PROPOSED LAND CONVEYANCE FOR CONSTRUCTION OF THREE FACILITIES,  
MARCH AIR FORCE BASE, CALIFORNIA, PREPARED BY U.S. ENVIRONMENTAL  
PROTECTION AGENCY, NOVEMBER 1988. ENCLOSURE 1.**

Hazardous Substance Comments - Comprehensive Environmental  
Response, Compensation and Liability Act

Preface

The Comprehensive Environmental Response, Compensation and Liability Act, as amended by the Superfund Amendments and Reauthorization Act (CERCLA/SARA), established requirements and procedures for dealing with the release or potential release of hazardous substances into the environment. These procedures and requirements are applicable to facilities owned or operated by the Federal Government (CERCLA Section 120). Implementing regulations are codified in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), [40 CFR Part 300].

Among the provisions of CERCLA/SARA that are applicable to Federal facilities are Section 103(c), requiring that the EPA be notified of "...any known, suspected, or likely releases of such (hazardous) substances from such facility;" Section 120(c), requiring inclusion on the Federal Agency Hazardous Waste Compliance Docket of any Federal facility reporting hazardous waste activities or releases from such sites; and Section 120(d), requiring Federal facilities on the Docket to submit a Preliminary Assessment. If this submittal indicates the need for further action at the site, the Federal facility must comply with CERCLA/SARA and the National Contingency Plan (NCP) in selecting and implementing a final response action at the site.

If the Department of Defense (or its predecessor, the War Department) disposed any hazardous substances [defined by CERCLA Section 101(14)], or discovers evidence of such disposal in the future, it must notify the EPA and comply with all applicable requirements of CERCLA/SARA and the NCP.

DEIS

The DEIS proposes to convey 845 acres of March Air Force Base (MAFB) to a private party (not yet selected) for the construction of new housing, a commercial center, and/or light industrial or business park facilities. In exchange, the private party will construct three new buildings on the Main Base area that would replace three old buildings on the 845 acre parcel. The proposed action raises two main CERCLA/SARA concerns which the Final Environmental Impact Statement (FEIS) must fully address:

- 1) Are the 845 acres to be transferred contaminated with substances defined as hazardous under CERCLA? If so, they must be cleaned up or remediated by the U.S. Air Force in accordance with CERCLA requirements.
- 2) Will the construction of three new facilities on the Main Base in any way impact other CERCLA investigation or cleanup activities (whether ongoing or proposed) at the Main Base?

#### The 845 Acres

The 845 acres to be transferred and developed are described as containing "potentially hazardous materials" (DEIS, page 3.4-1) that could pose a threat to public health or the environment as a result of contamination of surrounding soils, ground water or air. These potentially hazardous materials include asbestos, polychlorinated biphenyls (PCBs) in transformers, and diesel fuel in underground storage tanks. Although the information provided in the DEIS on these materials is partial [it refers readers to reports prepared under the Department of Defense's Installation Restoration Program (IRP)], these substances may fall under the definition of "hazardous substances" regulated under Section 101(14) of CERCLA.

The DEIS states (page 3.4-1) that no PCBs have leaked from the transformers; therefore PCBs would not become a CERCLA issue unless they leak or are released into the environment (a leak or release is also regulated under the Toxic Substances Control Act). Asbestos would become a CERCLA concern only if buildings containing asbestos materials are improperly demolished, resulting in the release of asbestos into the environment. The leaking underground storage tanks (USTs) pose the major CERCLA concern on the 845 acres at this time.

If the USTs contained only petroleum, they would be excluded from CERCLA requirements under Section 101(14). Upon analysis, however, some of the USTs were found to contain materials inconsistent with the expected constituents of diesel fuel. Although detailed analysis is not provided, the DEIS indicates on page 3.4-4 that one tank at Building 3409 contains "volatile hydrocarbons" and has a much lower flash point (25 degrees Celsius) than diesel fuels' flash point of 43-88 degrees Celsius. This tank has leaked an unknown quantity of its contents to surrounding soils. Another tank near Building 3415 contains either oil or "another volatile organic liquid." (DEIS, page 3.4-4). The contents of these two tanks do not appear to be petroleum only and are therefore likely to be CERCLA hazardous substances.

If, upon further analysis, any of these tanks are found to contain hazardous substances or to have released hazardous substances into the environment, the tanks and any environmental contamination caused by their leaking (soils, ground water) must

be thoroughly investigated and cleaned up or otherwise remediated by the U.S. Air Force in accordance with all CERCLA rules, regulations, criteria and guidance. The DEIS states (page 3.4-4) that "the full extent of soil contamination" has not been assessed. It also notes that more USTs may be on the site; their leaks and contamination would also need to be fully characterized. The possible contamination of ground water by CERCLA hazardous substances is of particular concern.

Among the statutory requirements of CERCLA/SARA and the NCP, the U.S. Air Force must perform a remedial investigation that thoroughly characterizes the extent of any contamination, and a feasibility study evaluating alternative methods of remediation. These documents must be released for public comment prior to selecting and implementing remedial actions.

#### Construction of Three New Facilities

The DEIS states that no hazardous materials exist on any of the three sites selected for construction of new base facilities. However, it does not indicate the proximity of other base contaminants (i.e., CERCLA hazardous substances) to the three sites. The FEIS should disclose if contaminants or hazardous substances are present elsewhere in the vicinity of the proposed construction; describe any potential risks posed by contamination near the construction site; and describe the impacts of construction on ongoing or proposed IRP activities at the Main Base.

#### Hazardous Substances Mitigation

The DEIS states (page S-2) that mitigation of potentially hazardous materials on the 845 acres will be the responsibility of the private developer once the property is transferred. It is critical to note that Section 120(h) of CERCLA specifically addresses the transfer of property by Federal agencies and requires that:

"...in the case of any real property owned by the United States on which any hazardous substance was stored for one year or more, known to have been released, or disposed of, each deed entered into for the transfer of such property by the United States to any other person or entity shall contain...(B) a covenant warranting that "(i) all remedial action necessary to protect human health and the environment with respect to any hazardous substance remaining on the property must be taken before the date of such transfer, and "(ii) any additional remedial action found to be necessary after the date of such transfer shall be conducted by the United States." (emphasis added)

In conclusion, the Final Environmental Impact Statement (FEIS) must stipulate that any remedial measures taken by the U.S. Air Force to fulfill its Section 120 responsibilities must be performed in full accordance with the statutory/regulatory requirements of CERCLA/SARA and the NCP. This requires that a full remedial investigation of the contamination of the 845 acres must be performed, and a feasibility study describing alternative methods of remediation must be prepared and released for public comment prior to the selection and implementation of remedial actions. The applicability of Section 120(h) should also be recognized if hazardous substances be discovered on the 845 acres and the land conveyed to a private party.

#### Air Quality Comments - Clean Air Act

1. The FEIS must ensure that the proposed project conforms with the State Implementation Plan (SIP). The Clean Air Act (CAA) prohibits proceeding with any Federal action that does not conform to the SIP (see 42 U.S.C. Section 7506). We would recommend that documentation of the project's conformity with the SIP be included in the FEIS.

2. The FEIS should note that another applicable Federal requirement governing asbestos abatement is NESHAPS (National Emissions Standards for Hazardous Air Pollutants) under the Clean Air Act (CAA), as amended. Federal regulations concerning the proper removal and safe disposal of asbestos from buildings (other than schools) are promulgated under the CAA.

3. The DEIS (pages 4.6-14 and 4.6-15) identifies a wide variety of mitigation measures, recommended by the South Coast Air Quality Management District (SCAQMD), to protect or improve air quality. In light of the serious air quality problems in the South Coast Air Basin, the high number of violations of Federal and State air quality standards, and the U.S. Air Force's obligations under the Clean Air Act, we strongly encourage the Air Force to adopt all of the mitigation measures recommended by the SCAQMD. In addition, Executive Order 12088 (Federal Compliance with Pollution Control Standards; October 13, 1978) requires that, "Each Executive agency shall consult with...State, interstate, and local agencies concerning the best techniques and methods available for the prevention, control, and abatement of environmental pollution." The adoption of the air quality mitigation measures proposed by the SCAQMD will enable the Air Force to comply with the letter and spirit of E.O. 12088.

#### Applicable Rules, Regulations, and Standards

The DEIS (pages A-1 to A-9) provides a very good summary of Federal, State and local laws and regulations that may be applicable to the proposed project. We would recommend that the following be added to this summary.

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1. Under "General Environmental Policy," please include Executive Order 12088 (Federal Compliance with Pollution Control Standards; 1978). This Executive Order requires that Federal agencies comply with "applicable pollution control standards" to the same extent as any private party. It also provides that each Executive agency shall consult "with State, interstate, and local agencies concerning the best techniques and methods available for the prevention, control, and abatement of environmental pollution." Each Federal agency must comply with State and local laws and rules concerning air pollution, water pollution, hazardous materials and hazardous substances to the same extent as any private party.

2. Under "Public Health and Safety," please include Executive Order 12580 (Superfund Implementation; January 23, 1987). This Executive Order outlines how Federal agencies will comply with CERCLA.

3. Under "Air Quality," please include the National Emissions Standards for Hazardous Air Pollutants (NESHAPS), which regulates the proper removal and safe disposal of asbestos from buildings (other than schools).

4. We recommend that the "Public Health and Safety" section be expanded to include applicable State of California laws and rules (e.g., Title 22 of the California Administrative Code) on the management of hazardous materials, hazardous waste, and hazardous substances. It would also be useful to include applicable county or municipal requirements on hazardous materials, hazardous waste, and hazardous substances.

#### General Comment

The DEIS states on page 3.4-1 that PCBs held in transformers may contaminate the host transformers and lead to "rotting and crumbling of casings." We are not familiar with literature on this effect. If possible, we would appreciate any documentation on "rotting and crumbling" in the FEIS.